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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 FEDERAL NATIONAL MORTGAGE
16 ASSOCIATION,

17 Plaintiff,

18 vs.

19 KEYNOTE PROPERTIES, LLC; and
20 MISSION HILLS HOMEOWNERS
21 ASSOCIATION,

22 Defendants.

Case No.: 2:17-cv-01647-JCM-NJK

**STIPULATION AND ORDER
REGARDING BILL OF COSTS
[ECF NO. 46]**

23 Plaintiff Federal National Mortgage Association (“Fannie Mae”), by and through its
24 counsel of record, Dana Jonathon Nitz, Esq. and Christina V. Miller, Esq., of the law firm
25 Wright, Finlay & Zak, LLP; and Defendant Mission Hills Homeowners Association (the
26 “HOA”), by and through its counsel of record, Robert S. Larsen, Esq. and Wing Yan Wong,
27 Esq., of the law firm Gordon Rees Scully Mansukhani, LLP, hereby stipulate and agree as
28 follows:

WHEREAS, on June 13, 2017, Fannie Mae filed its Complaint against Keynote
Properties, LLC (“Keynote”) and the HOA, alleging the following causes of action: Declaratory
Relief Under 12 U.S.C. §4617(j)(3) (against Keynote); Quiet Title Under 12 U.S.C. §4617(j)(3)
(against Keynote); Declaratory Relief Under Amendments V and XIV to the United States
Constitution (against Keynote and the HOA); Quiet Title Under Amendments V and XIV to the

1 United States Constitution (against Keynote and the HOA); and Permanent and Preliminary
2 Injunction (against Keynote). ECF No. 1.

3 WHEREAS, on March 14, 2018, the Court entered its Order granting in part and denying
4 in part the HOA's Motion to Dismiss (ECF No. 8), thereby dismissing the first, third and fifth
5 causes of action as to the HOA only. ECF No. 42.

6 WHEREAS, on June 14, 2018, the Court entered its Order granting Fannie Mae's Motion
7 for Summary Judgment (ECF No. 31), concluding that Fannie Mae's interest in the property
8 survived the alleged foreclosure, pursuant to the Federal Foreclosure Bar (12 U.S.C.
9 §4617(j)(3)). ECF No. 43.

10 WHEREAS, on June 28, 2018, Fannie Mae filed its Ex Parte Application for Release of
11 Cash Deposit (ECF No. 45) and Bill of Costs (ECF No. 46).

12 WHEREAS, on July 12, 2018, the HOA filed an Objection to the Bill of Costs. ECF No.
13 48.

14 WHEREFORE, based on the foregoing,

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1 IT IS HEREBY STIPULATED, for the purpose of clarification, that the Bill of Costs is
2 asserted against Keynote only in light of Fannie Mae's causes of action for Declaratory Relief
3 and Quiet Title Under 12 U.S.C. §4617(j)(3), which were alleged against Keynote and not the
4 HOA, and form the basis of this Court's entry of summary judgment in Fannie Mae's favor.

5 IT IS FURTHER STIPULATED that, because the Bill of Costs is brought against
6 Keynote only, the HOA hereby withdraws its Objection to the Bill of Costs. ECF No. 48.

7 IT IS SO STIPULATED.

8 DATED this 19th day of July, 2018.
9 WRIGHT, FINLAY & ZAK, LLP

DATED this 19th day of July, 2018.
GORDON REES SCULLY
MANSUKHANI, LLP

10 /s/ Christina V. Miller, Esq.
11 Christina V. Miller, Esq.
12 Nevada Bar No. 12448
13 7785 W. Sahara Ave., Suite 200
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Attorney for Plaintiff Federal National
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/s/ Wing Yan Wong, Esq.
Wing Yan Wong, Esq.
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Las Vegas, NV 89101
Attorney for Defendant Mission Hills
Homeowners Association

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17 **IT IS SO ORDERED.**

18 DATED: August 6, 2018
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22 UNITED STATES MAGISTRATE JUDGE
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